

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHATEAU AT HILLSBOROUGH, LLC, a
Nebraska limited liability company;

Plaintiff,

vs.

ELECTROLUX HOME PRODUCTS,
INC., a Delaware Corporation;
FERGUSON ENTERPRISES, INC., a
Virginia Corporation; and FERGUSON
ENTERPRISES, LLC, a Virginia limited
liability company;

Defendants.

8:19CV451

**PROGRESSION ORDER
(AMENDED)**

IT IS ORDERED that Plaintiff's Unopposed Motion for Extension of Case Progression Deadlines (Filing No. 27) is granted. The final progression order is amended as follows:

- 1) A status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings will be held before the undersigned magistrate judge on **February 16, 2021 at 9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) Motions to compel written discovery under Rules 33, 34, 36, and 45 must now be filed by August 31, 2020.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for complete expert disclosures¹ for all experts

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and

expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s):	November 16, 2020.
For the defendant(s):	January 4, 2021.
Plaintiff(s)' rebuttal:	February 4, 2021.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is March 1, 2021.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is March 30, 2021.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is March 30, 2021.
- 7) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 17th day of August, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.